

**Title: Allegations of Child Maltreatment By Foster Parents**

- I. **PURPOSE:** This policy establishes procedures for agency child welfare staff to provide information to foster parents about policies and procedures regarding investigations of child maltreatment by foster parents and to work with foster parent when allegations of child maltreatment by foster parents occur. It emphasizes the need for clear and consistent communication before, during, and after an assessment and investigation of abuse and neglect in a foster home, treatment foster home, or respite home licensed by this agency.

This policy does not describe or explain state and county requirements for child abuse and neglect investigations. For specific information about requirements for conducting investigations of foster families, see the Child Protective Services Investigation Standards section “Maltreatment by Foster Parent” issued August 1994 and s. 48.981(3)(c) and (d), Stats.

- II. **APPLICABILITY:** This policy applies to all foster parents, treatment foster parents and licensed respite parents licensed by this agency.

III. **DEFINITIONS**

1. For purposes of this policy, “foster parent” means a foster parent, treatment foster parent, or respite parent licensed by this agency.

IV. **POLICY AND PROCEDURES**

1. At the time of licensure and relicensure:
- a. When a foster parent is licensed, the licensing worker shall provide the foster parent with a copy of this policy, the agency’s policy or procedures describing independent investigations, and the “Maltreatment by Foster Parents” section of the CPS Investigation Standards either in person or in foster parent training classes.
  - b. At initial licensure and relicensure, the licensing worker shall provide foster parents with information about local foster parent associations, if any exist in this county or have been developed, and the Wisconsin Foster and Adoptive Parent Association (WFAPA).
  - c. At every relicensure, the licensing or case worker shall review this policy with the foster parent.
2. When a child is placed:
- a. Before a foster child is placed or, if that is not possible, at the time a foster child is placed, the licensing or case worker shall provide the foster parent with as much information as possible about the child, his or her needs and background information as stated in Ch. HFS 37, Adm. Code, “Information to be Provided to Foster Parents.” Part B of this form also includes specific information for the foster parent to follow if an emergency or crisis occurs. Background information

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provided to the foster parents will also include a child's history of reports of maltreatment, if applicable, and whether those allegations were substantiated.

- b. When he or she places a child, the licensing or case worker shall remind the foster parent to review this policy, the agency's policy describing independent investigations, and the Child Protective Services Investigation Standards section "Maltreatment by Foster Parents."
  - d. The licensing or case worker shall allow the foster parent to express any concerns he or she may have regarding his or her ability to care for a child with special or challenging needs and request support to provide for the child's needs.
  - e. The licensing or case worker shall provide the foster parent with information about support services to help him or her care for the foster child and any needs of his or her family. Those services could include respite care, mental health services, crisis childcare, or other case specific services to support the foster family and placement of the foster child in the foster home.
3. When an allegation occurs:
- a. The intake/access worker and the investigation worker shall follow the specific requirements in established policy when assessing and investigating allegations of child maltreatment by foster parents.
  - b. The investigation worker shall make the decision to remove a foster child based upon a thorough assessment of threats to child safety as required in the Investigation Standards. An allegation does not automatically indicate that children are unsafe or must be removed from the foster home. Certain actions by foster parents may be considered licensing violations, and they may or may not result in a child being unsafe or necessitate the removal of children from the foster home.
  - c. If an assessment shows that removal of the foster child from the foster home is necessary, the investigation worker shall work with the foster parent to allow the foster parent an opportunity to explain the situation to the foster child as long as doing so does not jeopardize the physical safety or emotional well-being of the child.
4. During the investigation and assessment:
- a. Before the foster parent is interviewed, the investigation worker shall disclose the nature of the allegation to the foster parent.
  - b. The licensing worker shall notify the foster parent that he or she is available for the foster family to contact for general or procedural questions about the investigation process. While the licensing worker cannot disclose specific details about the investigation, he or she can provide the foster family with support and procedural information about the situation and process.
  - c. The agency licensing worker shall clearly explain what he or she is limited to discussing with the foster parent and the need to maintain confidentiality of the investigation and assessment. In addition, the licensing worker shall clearly explain what information the foster parent must keep confidential.
  - d. The licensing worker offers the foster parent support services including, but not limited to, respite services or crisis services.

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5. After the investigation:
  - a. This agency conducting the investigation shall notify the foster parent of any decision resulting from the investigation by mailing such notice postmarked no later than 15 calendar days after that agency approves the decision made by the investigating worker. The notice shall include information about how the foster parent can request an appeal of a substantiated maltreater finding.
  - b. The licensing worker shall schedule a meeting with the foster parent within 30 days after receiving the findings from the investigating agency to discuss the results of the investigation, status of the foster parent's license, any subsequent action that will be taken by this agency, and a foster parent's right to appeal a substantiated maltreater finding. During this meeting, the licensing worker shall provide the foster parent with documentation regarding the outcome of the assessment and investigation and information about how the foster parent can receive a copy of the full report. This meeting will include the investigation worker, if possible, in person or by phone.
  - c. The licensing worker shall develop a corrective action plan or support plan with the foster parent that documents the strengths of the family, areas needing improvement, services or resources that will be provided to the foster parent, and expected outcomes after services or resources are provided. Both the licensing worker and the foster parent must sign the corrective action plan or support plan.
  - d. Documentation of the corrective action plan or support plan and results of the plan shall be placed in the foster parent's file, and a copy shall be provided to the foster parent.